IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA

Jeanne Manning, as Personal) C/A	. No.: 3:15-2658-MGL-SVH
Representative of the Estate of Letitia)	
Johnson, deceased,)	
)	
Plaintiff,)	
)	
VS.)	ORDER
)	
City of Columbia and City of Columbia)	
Police Department,)	
)	
Defendants.)	
)	

Plaintiff, appearing pro se, originally filed this complaint in the Richland County Court of Common Pleas and defendants subsequently removed the action to this court. While individuals may represent themselves pro se in federal court, the Plaintiff in this action is styled "Jeanne Manning, as Personal Representative of the Estate of Letitia Johnson, deceased." A person may not ordinarily appear pro se in the cause of another person or entity. *See Pridgen v. Andresen*, 113 F.3d 391, 392–93 (2d Cir 1997) (finding that a pro se litigant may not represent a corporation, estate, or partnership); *Oxendine v. Williams*, 509 F.2d 1405, 1407 (4th Cir. 1975) ("[W]e consider the competence of a layman representing himself to be clearly too limited to allow him to risk the rights of others."). One exception to the rule prohibiting pro se representation of another is when a pro se person, who is the executor of an estate, represents the estate and the estate has no creditors or other beneficiaries. *See Witherspoon v. Jeffords Agency, Inc.*, 88 F. App'x. 659 (4th Cir. 2004) (unpublished) (remanding the matter for further proceedings to

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ascertain whether there were any creditors involved); Malone v. Nielson, 474 F.3d 934,

937 (7th Cir. 2007) (finding that where an administrator of an estate is not the sole

beneficiary or where the estate has creditors, then the administrator may not represent the

estate pro se in federal court).

Plaintiff indicates she was appointed personal representative of the Estate of

Letitia Johnson on May 27, 2015, by the Richland County Probate Court. [ECF No. 1-1

at 2]. However, Plaintiff does not provide any information concerning the estate's

beneficiaries or creditors. Accordingly, additional information is required to determine if

Plaintiff may appear pro se on behalf of the Estate of Letitia Johnson. Plaintiff is directed

to answer the attached special interrogatories within 21 days from the date of this order.

Plaintiff's answers should be filed with this court.

IT IS SO ORDERED.

August 3, 2015

Columbia, South Carolina

Shiva V. Hodges

(Shira V. Hodges

United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA

Jeanne Manning, as Personal Representative of the Estate of Letitia Johnson, deceased,	C/A No.: 3:15-2658-MGL-SVH Plaintiff's Answers to Court's Special Interrogatories	
Plaintiff, vs.		
City of Columbia and City of Columbia Police Department,		
Defendants.))	
Letitia Johnson on May 27, 2015, by the Riat 2]. To determine if Plaintiff may represent answer the following questions as compleadditional space is needed, attach a separa which answers are continued on the separate.	ed personal representative of the Estate of chland County Probate Court. [ECF No. 1-1 ent the Johnson Estate pro se, Plaintiff shall etely as possible in the space provided. It te sheet of paper to this form and indicate parate sheet. BE AWARE THAT YOUR TRUTHFUL AND ARE GIVEN UNDER	
1. Provide the Richland County probat	te case number for the Estate of Letitia	
	te of Letitia Johnson?	
	the Estate of Letitia Johnson? If so, please	

4. Are there any creditors of the Estate of Letitia Johnson? If so, please provide those creditors names and address. Plaintiff is directed to attach to these interrogatories a copy of any orders or letters from the Richland County Probate Court. I declare under penalty of perjury that the foregoing is true and correct. Signed this _____, 2015. Signature of Plaintiff

Date Filed 08/03/15

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